

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and following remarks is respectfully requested.

Claims 1, 4-11, 14-21, 24-31, 34-41, and 44-49 are pending. Claims 1, 11, 21, 31, and 41 have been amended to improve readability and incorporate limitations similar to the limitations of claims 2-3, 12-13, 22-23, 32-33 42-43, respectively. Claims 2-3, 12-13, 22-23, 32-33 42-43 have been cancelled. Claims 11 and 15-20 have been amended to overcome the 35 USC 101 rejection and more clearly state claim language.

New claims 44-49 have been added to secure an appropriate scope of protection to which Applicants are believed entitled. Support for added claims 44-48 is believed to be found at at least paragraph 13 of the Instant Specification. Support for added claim 49 is believed to be found at at least paragraph 12 of the Instant Specification.

Claims 11-20 are not indefinite

The rejection of claims 21-30 under 35 USC 112, second paragraph, as being indefinite is hereby traversed. The instant specification states that the phrase “minimally causes the processor” is:

intended to serve as an open-ended enumeration of functions performed by the processor as it executes a particular functional process (i.e. instruction sequence). As such, an embodiment where a particular functional process causes the processor to perform functions in addition to those defined in the appended claims is to be included in the scope of the claims appended hereto.

Instant specification at paragraph 36.

Based on at least the foregoing, the specification is believed to provide a standard for ascertaining the scope of the claim term with a reasonable degree of clarity and particularity and the rejection is respectfully requested to be withdrawn.

Amended claims 12-20 are directed to statutory subject matter

The rejection of claims 12-20 under 35 USC 101 is believed overcome in view of the foregoing amendments and withdrawal of the rejection is respectfully requested.

Amended and unamended claims 1-5, 7-15, 17-20, and 41-43 are not anticipated by Williams (Mickey Williams, "Microsoft Visual C#.NET")

The rejection of claims 1-5, 7-15, 17-20, and 41-43 under 35 USC 102(b) as being anticipated by *Williams* is hereby traversed. A rejection based on 35 U.S.C. §102 requires every element of the claim to be included in the reference, either directly or inherently. Claim 1 is patentable over *Williams* because the reference fails to disclose or suggest every element of claim 1.

Claim 1

Williams fails to disclose or suggest either of "recognizing an assertion request type corresponding to the assertion request or determining a component that sourced the assertion request" as claimed in amended claim 1.

First, the PTO asserts that *Williams* describes recognizing a type of an assertion request at page 13, lines 20-21 and pages 22-24. This is incorrect. *Williams* describes using Switch objects to "control tracing or debugging output" and not recognition of an assertion request type. *Williams* at page 13, lines 25-26. For at least this reason, withdrawal of the rejection is respectfully requested.

Further, the Switch objects of *Williams* are not assertion requests as claimed in amended claim 1. *Williams* Switch objects appear to be described as providing "fine-grained control over output" and not comprising an assertion as claimed. *Williams* at page 13, lines 8-10. For at least this reason, withdrawal of the rejection is respectfully requested.

Further, *Williams* appears to describe the Switch objects as having a state which is either "enabled" or "disabled" and not being an enabled or disabled type, contrary to the PTO's assertion. That is, *Williams* appears to describe the Switch objects as being of a BooleanSwitch type. For at least this reason, withdrawal of the rejection is respectfully requested.

Second, the PTO asserts that *Williams* describes determining a component that sourced the assertion request at page 13, lines 20-24. Similar to the reasons presented above, this is incorrect as *Williams* appears to describe the use of Switch objects to "control tracing or debugging output" and not determining a component that sourced the assertion request."

Williams at page 13, lines 25-26. For at least this reason, withdrawal of the rejection is respectfully requested.

Further, the Switch objects of *Williams* do not appear to be the component which is the source of the assertion request, rather, as stated above, the Switch objects appear to be described as providing “fine-grained control over output” and not comprising an assertion as claimed. *Williams* at page 13, lines 8-10. For at least this reason, withdrawal of the rejection is respectfully requested.

Based on each of the foregoing reasons, amended claim 1 is patentable over *Williams* and the rejection is respectfully requested to be withdrawn.

Claims 11 and 41

Claims 11 and 41 are patentable for at least reasons similar to those advanced above with respect to claim 1 and the rejection of claims 11 and 41 is respectfully requested to be withdrawn.

Claims 4-5, 7-10, 14-15, and 17-20

Claims 4-5, 7-10, 14-15, and 17-20 depend, either directly or indirectly, from claims 1, 11, and 41, include further limitations, and are patentable over *Williams* for at least the reasons advanced above with respect to claim 1. The rejection of claims 4-5, 7-10, 14-15, and 17-20 should be withdrawn.

Claims 6, 16, 26, and 36 are not obvious over *Williams* in view of *Cantrill* (US 7,146,473)

The rejection of claims 6, 16, 26, and 36 under 35 USC 103(a) as being obvious over *Williams* in view of *Cantrill* is hereby traversed. Claims 6, 16, 26, and 36 depend, either directly or indirectly, from claims 1, 11, 21, and 31, include further limitations, and are patentable over *Williams* in view of *Cantrill* for at least the reasons advanced above with respect to claims 1, 11, 21, and 31, respectively. The rejection of claims 6, 16, 26, and 36 is respectfully requested to be withdrawn.

Claims 21-25, 27-35, and 37-40 are not obvious over *William*

The rejection of claims 21-25, 27-35, and 37-40 under 35 USC 103(a) as being obvious over *Williams* is hereby traversed. Claims 21 and 31 are patentable over *Williams* for at least the reasons advanced above with respect to the 35 USC 102(b) rejection. Claims 22-25, 27-30, 32-35, and 37-40 depend, either directly or indirectly, from claims 21, and 31, include further limitations, and are patentable over *Williams* for at least the reasons advanced above with respect to claims 21, and 31, respectively. The rejection of claims 21-25, 27-35, and 37-40 is respectfully requested to be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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